

CLOSED

**U.S. District Court
Northern District of Georgia (Atlanta)
CRIMINAL DOCKET FOR CASE #: 1:16-mj-00022-LTW All Defendants**

Case title: USA v. Smith

Date Filed: 01/11/2016

Other court case number: 15-mj-4105-DHH – USDC, District of Massachusetts Date Terminated: 01/11/2016

Assigned to: Magistrate Judge Linda T. Walker

Defendant (1)

Dionne Smith

TERMINATED: 01/11/2016

represented by

Rebecca Shepard

Federal Defender Program–Atl
Suite 1500

Centennial Tower

101 Marietta Street, N.W.

Atlanta, GA 30303

404-688-7530

Email: Rebecca_Shepard@fd.org

LEAD ATTORNEY

ATTORNEY TO BE NOTICED

Designation: Public Defender or

Community Defender Appointment

Pending Counts

None

Disposition

Highest Offense Level (Opening)

None

Terminated Counts

None

Disposition

Highest Offense Level (Terminated)

None

Complaints

18:656 –
THEFT/EMBEZZLEMENT/MISAPPLICATION
BY BANK OFFICER

Disposition

Plaintiff**USA**

represented by **Mary Christine Roemer**
Office of United States Attorney
Northern District of Georgia
75 Spring Street, S.W.
600 United States Courthouse
Atlanta, GA 30303
404-581-6000
Email: mary.roemer@usdoj.gov
LEAD ATTORNEY
ATTORNEY TO BE NOTICED
Designation: Retained

Date Filed	#	Page	Docket Text
01/11/2016		3	Arrest (Rule 40) of Dionne Smith (ryc) (Entered: 01/12/2016)
01/11/2016	<u>1</u>	4	ORDER APPOINTING FEDERAL PUBLIC DEFENDER Rebecca Shepard as to Dionne Smith. Signed by Magistrate Judge Linda T. Walker on 1/11/16. (ryc) (Entered: 01/12/2016)
01/11/2016	<u>2</u>	5	MOTION for Detention by USA as to Dionne Smith. (ryc) (Entered: 01/12/2016)
01/11/2016	<u>3</u>	8	Minute Entry for proceedings held before Magistrate Judge Linda T. Walker: Initial Appearance in Rule 5(c)(3) Proceedings as to Dionne Smith held on 1/11/2016. Defendant informed of rights. Order appointing Federal Defender as counsel for defendant. Defendant WAIVES identity hearing. Waiver filed. Government's motion for detention filed. Pretrial hearing to be announced in charging district. Commitment issued. (Tape #FTR) (ryc) (Entered: 01/12/2016)
01/11/2016	<u>4</u>	9	WAIVER of Rule 5 & 5.1 Hearings by Dionne Smith (ryc) (Entered: 01/12/2016)
01/11/2016	<u>5</u>	10	COMMITMENT TO ANOTHER DISTRICT as to Dionne Smith. Defendant committed to the District of Massachusetts. Signed by Magistrate Judge Linda T. Walker on 1/11/16. (ryc) (Entered: 01/12/2016)
01/11/2016		11	Magistrate Case Closed. Defendant Dionne Smith terminated. (ryc) (Entered: 01/12/2016)
01/12/2016		12	Transmittal of Rule 5(c)(3) Documents as to Dionne Smith, sent to the District of Massachusetts electronically with a copy of the docket sheet. (ryc) (Entered: 01/12/2016)

MIME-Version:1.0
From:ganddb_efile_notice@gand.uscourts.gov
To:CourtMail@localhost.localdomain
Bcc:
--Case Participants: Mary Christine Roemer (gaylene.berberick@usdoj.gov,
mary.roemer@usdoj.gov, tonzja.cherry2@usdoj.gov, usagan.motionsresponses@usdoj.gov),
Rebecca Shepard (angie_felton@fd.org, rebecca_shepard@fd.org), Magistrate Judge Linda T.
Walker (ganddb_efile_ltw@gand.uscourts.gov)
--Non Case Participants:
--No Notice Sent:

Message-Id:7550361@gand.uscourts.gov
Subject:Activity in Case 1:16-mj-00022-LTW USA v. Smith Arrest - Rule 40
Content-Type: text/html

U.S. District Court

Northern District of Georgia

Notice of Electronic Filing

The following transaction was entered on 1/12/2016 at 10:17 AM EST and filed on 1/11/2016

Case Name: USA v. Smith
Case Number: 1:16-mj-00022-LTW
Filer:
Document Number: No document attached
Docket Text:
Arrest (Rule 40) of Dionne Smith (ryc)

1:16-mj-00022-LTW-1 Notice has been electronically mailed to:

Mary Christine Roemer mary.roemer@usdoj.gov, gaylene.berberick@usdoj.gov,
Tonzja.Cherry2@usdoj.gov, USAGAN.MotionsResponses@usdoj.gov

Rebecca Shepard Rebecca_Shepard@fd.org, angie_felton@fd.org

1:16-mj-00022-LTW-1 Notice has been delivered by other means to:

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION

FILED IN OPEN COURT
U.S.D.C. Atlanta

JAN 11 2016

James N. Hatten, Clerk
By:  Clerk

UNITED STATES OF AMERICA,

Plaintiff,

vs.

CASE NO. 1:16-MJ-022-LTW

DIONNE SMITH,

Defendant.

ORDER APPOINTING COUNSEL

REBECCA SHEPHARD

The above-named defendant has testified under oath or has filed with the Court an affidavit of financial status and hereby satisfied this Court that he or she is financially unable to employ counsel.

Accordingly, the **FEDERAL DEFENDER PROGRAM, INC.**, is hereby appointed to represent this defendant in the above-captioned case unless relieved by an Order of this Court or by Order of the Court of Appeals.

Dated at Atlanta, Georgia this 11TH day of January, 2016.


UNITED STATES MAGISTRATE JUDGE

FILED IN OPEN COURT
U.S.D.C. Atlanta

JAN 11 2016

James N. Hatten, Clerk
By: Deputy Clerk

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION

ORIGINAL

UNITED STATES OF AMERICA

v.

DIONNE SMITH

Criminal Action No.
1:16-MJ-22-LTW

Government's Motion for Detention

The United States of America, by counsel, John A. Horn, United States Attorney, and Mary C. Roemer, Assistant United States Attorney for the Northern District of Georgia, moves for detention under 18 U.S.C. §§ 3142(e) and (f).

1. Eligibility of Case

This case is eligible for a detention order because this case involves:

A serious risk that the defendant will flee.

2. Reason for Detention

The Court should detain defendant because there are no conditions of release that will reasonably assure the appearance of the person as required.

3. Rebuttable Presumption

The United States will not invoke the rebuttable presumption that no condition or combination of conditions will reasonably assure the appearance of the defendant as required and the safety of the community pursuant to 18 U.S.C. § 3142(e)(3).

The United States will not invoke the rebuttable presumption that no condition or combination of conditions will reasonably assure the safety of any other person and the community pursuant to 18 U.S.C. § 3142(e)(2).

4. Time for Detention Hearing

The United States requests the Court conduct the detention hearing after continuance of 3 days.

The United States requests leave of Court to supplement this motion with additional grounds or presumptions for detention.

Dated: January 11, 2016.

Richard Russell Federal Building
75 Ted Turner Drive S.W., Suite 600
Atlanta, Georgia 30303-3309
Phone: (404) 581-6000
Fax: (404) 581-6181
(404) 581-6265

Respectfully submitted,

JOHN A. HORN
United States Attorney



MARY C. ROEMER
Assistant United States Attorney
Ga. Bar No. 611790

Certificate of Service

I served this document today by handing a copy to defense counsel:

Federal Defender Program, Inc.

January 11, 2016

/s/ MARY C. ROEMER

MARY C. ROEMER

Assistant United States Attorney

DATE: 1/11/2016 @ 12:01 PM

TAPE: FTR

TIME IN COURT: 11 minutes

MAGISTRATE JUDGE LINDA T. WALKER COURTROOM DEPUTY CLERK: SONYA COGGINS

CASE NUMBER: 1:16-MJ-022-LTW DEFENDANT'S NAME: DIONNE SMITH

AUSA: MARY ROEMER DEFENDANT'S ATTY: REBECCA SHEPARD

USPO / PTR: Jeffrey Lee () Retained () CJA (X) FDP () Waived

ARREST DATE

X Initial appearance hearing held. X Defendant informed of rights.

Interpreter sworn:

COUNSEL

X ORDER appointing Federal Defender as counsel for defendant.

ORDER appointing as counsel for defendant.

ORDER: defendant to pay attorney's fees as follows:

IDENTITY / PRELIMINARY HEARING

X Defendant WAIVES identity hearing. X WAIVER FILED

Identity hearing HELD. Def is named def. in indictment/complaint; held for removal to other district.

Defendant WAIVES preliminary hearing in this district only. WAIVER FILED

Preliminary hearing HELD. Probable cause found; def. held to District Court for removal to other district

X Commitment issued.

BOND/PRETRIAL DETENTION HEARING

X Government motion for detention filed . @

X Pretrial hearing set for TBA @ (X) In charging district.)

Bond/Pretrial detention hearing held.

Government motion for detention () GRANTED () DENIED

Pretrial detention ordered. Written order to follow.

BOND set at NON-SURETY SURETY
cash property corporate surety ONLY

SPECIAL CONDITIONS:

Bond filed. Defendant released.

Bond not executed. Defendant to remain in Marshal's custody.

Motion (verbal) to reduce/revoke bond filed.

Motion to reduce/revoke bond GRANTED DENIED

See page 2

FILED IN OPEN COURT

U.S.D.C. Atlanta

JAN 11 2016

James N. Hatten, Clerk

By: Deputy Clerk

UNITED STATES DISTRICT COURT

NORTHERN

DISTRICT OF

GEORGIA

UNITED STATES OF AMERICA

WAIVER OF RULE 5 & 5.1 HEARINGS

(Complaint/Indictment)

V.

CASE NUMBER: 1:16-MJ-022-LTW

DIONNE SMITH

CHARGING DISTRICTS
CASE NUMBER: 15-MJ-4105-DHH

Defendant

I understand that charges are pending in the _____ District of _____ MASSACHUSETTS
alleging violation of 18:656 _____ and that I have been arrested in this district and
(Title and Section)

taken before a judge, who has informed me of the charge(s) and my rights to:

- (1) retain counsel or request the assignment of counsel if I am unable to retain counsel;
- (2) an identity hearing to determine whether I am the person named in the charges;
- (3) a preliminary hearing (unless an indictment has been returned or information filed) to determine whether there is probable cause to believe an offense has been committed by me, the hearing to be held in this district or the district of prosecution; and
- (4) Request transfer of the proceedings to this district under Rule 20, Fed. R. Crim. P., in order to plead guilty.

I HEREBY WAIVE (GIVE UP) MY RIGHT TO A(N):

☒ identity hearing☐ preliminary hearing☒ identity hearing but request a preliminary hearing be held in the prosecuting district and, therefore, consent to the issuance of an order requiring my appearance in the prosecuting district where the charges are pending against me.

1/11/16

Date

Defendant

Defense Counsel

UNITED STATES DISTRICT COURT

JAN 11 2016

NORTHERN

District of

GEORGIA

James N. Hatten, Clerk

By: Deputy Clerk

UNITED STATES OF AMERICA

V.

COMMITMENT TO ANOTHER DISTRICT

DIONNE SMITH

DOCKET NUMBER

MAGISTRATE JUDGE CASE NUMBER

District of Arrest

District of Offense

District of Arrest

District of Offense

116MJ022-LTW

15-MJ-4105-DHH

NDGA-Atlanta

District of MA

CHARGES AGAINST THE DEFENDANT ARE BASED UPON AN

☒ Indictment ☐ Information ☐ Complaint ☐ Other (specify)

charging a violation of

18 U.S.C. § 656

DISTRICT OF OFFENSE

DISTRICT OF MASSACHUSETTS

DESCRIPTION OF CHARGES:

EMBEZZLEMENT AND MISAPPLICATION BY A BANK EMPLOYEE

CURRENT BOND STATUS:

- ☐ Bail fixed at _____ and conditions were not met
- ☐ Government moved for detention and defendant detained after hearing in District of Arrest
- ☒ Government moved for detention and defendant detained pending detention hearing in District of _____
- ☐ Other (specify) _____

Representation:

☐ Retained Own Counsel ☒ Federal Defender Organization ☐ CJA Attorney ☐ None

Interpreter Required?

☒ No☐ Yes

Language: _____

DISTRICT OF

TO: THE UNITED STATES MARSHAL

You are hereby commanded to take custody of the above named defendant and to transport that defendant with a certified copy of this commitment forthwith to the district of offense as specified above and there deliver the defendant to the United States Marshal for that District or to some other officer authorized to receive the defendant.

1/11/2016

Date

Judge

RETURN

This commitment was received and executed as follows:

DATE COMMITMENT ORDER RECEIVED

PLACE OF COMMITMENT

DATE DEFENDANT COMMITTED

DATE

UNITED STATES MARSHAL

(BY) DEPUTY MARSHAL

MIME-Version:1.0
From:ganddb_efile_notice@gand.uscourts.gov
To:CourtMail@localhost.localdomain
Bcc:
--Case Participants: Rebecca Shepard (angie_felton@fd.org, rebecca_shepard@fd.org), Mary Christine Roemer (gaylene.berberick@usdoj.gov, mary.roemer@usdoj.gov, tonzja.cherry2@usdoj.gov, usagan.motionsresponses@usdoj.gov), Magistrate Judge Linda T. Walker (ganddb_efile_ltw@gand.uscourts.gov)
--Non Case Participants: File Clerks (ganddb_file_clerks@gand.uscourts.gov)
--No Notice Sent:

Message-Id:7550915@gand.uscourts.gov
Subject:Activity in Case 1:16-mj-00022-LTW USA v. Smith Termination of Magistrate Case
Content-Type: text/html

U.S. District Court

Northern District of Georgia

Notice of Electronic Filing

The following transaction was entered on 1/12/2016 at 11:59 AM EST and filed on 1/11/2016

Case Name: USA v. Smith

Case Number: 1:16-mj-00022-LTW

Filer:

Document Number: No document attached

Docket Text:

Magistrate Case Closed. Defendant Dionne Smith terminated. (ryc)

1:16-mj-00022-LTW-1 Notice has been electronically mailed to:

Mary Christine Roemer mary.roemer@usdoj.gov, gaylene.berberick@usdoj.gov,
Tonzja.Cherry2@usdoj.gov, USAGAN.MotionsResponses@usdoj.gov

Rebecca Shepard Rebecca_Shepard@fd.org, angie_felton@fd.org

1:16-mj-00022-LTW-1 Notice has been delivered by other means to:

MIME-Version:1.0
From:ganddb_efile_notice@gand.uscourts.gov
To:CourtMail@localhost.localdomain
Bcc:
--Case Participants: Rebecca Shepard (angie_felton@fd.org, rebecca_shepard@fd.org), Mary Christine Roemer (gaylene.berberick@usdoj.gov, mary.roemer@usdoj.gov, tonzja.cherry2@usdoj.gov, usagan.motionsresponses@usdoj.gov), Magistrate Judge Linda T. Walker (ganddb_efile_ltw@gand.uscourts.gov)
--Non Case Participants:
--No Notice Sent:

Message-Id:7550925@gand.uscourts.gov
Subject:Activity in Case 1:16-mj-00022-LTW USA v. Smith Transmittal of Rule 5(c)(3) Documents
Content-Type: text/html

U.S. District Court

Northern District of Georgia

Notice of Electronic Filing

The following transaction was entered on 1/12/2016 at 12:00 PM EST and filed on 1/12/2016

Case Name: USA v. Smith
Case Number: 1:16-mj-00022-LTW
Filer:
Document Number: No document attached

Docket Text:
Transmittal of Rule 5(c)(3) Documents as to Dionne Smith, sent to the District of Massachusetts electronically with a copy of the docket sheet. (ryc)

1:16-mj-00022-LTW-1 Notice has been electronically mailed to:

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Rebecca Shepard Rebecca_Shepard@fd.org, angie_felton@fd.org

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